IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.2481 of 2005

DATE OF ORDER: 9.1.2007

Hans Raj

...Petitioner(s)

Versus

Gurmail Singh and Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Harsh Aggarwal, Advocate.

Mr. Ishwar Lal, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 15.4.2005 passed by Civil Judge(Sr.Divn.), Rajpura whereby request of the present petitioner i.e Hans Raj, who was defendant No.71 for leading additional evidence was declined.

By way of additional evidence, present petitioner wanted to place on record jamabandi and two mutations.

Counsel for the petitioner states that these documents are admissible per se in evidence and no further additional evidence is to be led by present petitioner, who is defendant No.1.

I am of the view that plaintiffs, now respondents can very well be compensated with costs for default of the petitioner, if any, in not producing those documents and leading evidence in respect of them.

Under these circumstances, this petition is allowed. Let additional evidence of jamabandi and mutations be admitted in defendant-petitioner's evidence subject to payment of Rs.2000/- as costs.

With this observation, petition stands disposed of.

January 09, 2006 (M.M. AGGARWAL)
manoj JUDGE